In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.80600-M of 2006

.....

Date of decision:8.5.2007

Joginder Singh

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. K.S. Ahluwalia, Senior Advocate with Mr. J.S. Rattu, Advocate for the petitioner.

Mr. I.P.S. Sidhu, Senior Deputy Advocate General, Punjab for the respondent-State.

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S.S. Saron, J. (Oral)

Heard learned counsel for the parties.

The FIR has been registered on the statement of Gurbax Singh son of Hazara Singh. It is a case of blind murder and nobody has been named as an accused in the FIR.

Learned senior counsel appearing for the petitioner has submitted that the case was prepared on 6.12.2006 and affidavit of the petitioner was deposed on 15.12.2006. Thereafter, challan has been filed on 2.1.2007. From the challan papers it is transpired that an extra judicial confession of co-accused Jasbir Singh has been recorded in which he has stated that the murder has happened at the instigation of the petitioner. Besides, it has come on record during interrogation of Jasbir Singh and Gurtej Singh alias Teja that the petitioner is involved in the case. In the

challan that has been filed the petitioner has been kept in column No.2 and P.O. proceedings have been initiated against him.

Keeping in view the facts that the petitioner is named as an accused on the statement of the co-accused it would be inappropriate to grant pre-arrest bail to him.

In the circumstances, the application for pre-arrest bail is dismissed. However, the petitioner shall surrender within three days and in case he has surrendered within the time fixed, the P.O. proceedings that have been initiated shall not be given further effect.

May 8, 2007. **(S.S. Saron)**
Judge

hsp